

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**MARICEL FORTEZA,**

Plaintiff,

v.

**VEHICLE SERVICE  
DEPARTMENT, *et al.*,**

Defendants.

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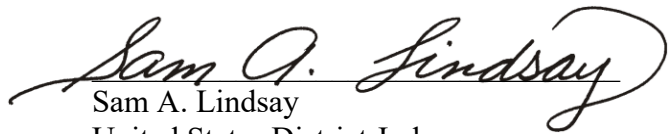
Civil Action No. **3:23-CV-874-L-BH**

**ORDER**

On August 16, 2023, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (Doc. 18) (“Report”) was entered, recommending that the court deny Plaintiff’s Motion for Entry of Default Judgment (“Motion”) (Doc. 15), filed July 31, 2023. The Report reasons that: “[D]efault has not been entered against any defendant. Without a prior entry of default, the plaintiff has no basis for seeking a default judgment. Moreover, ‘a party is not entitled to a default judgment as a matter of right, even whe[n] the defendant is technically in default.’” Report 2 (footnote and citations omitted). No objections to the Report were filed, and the deadline for asserting objections has expired.

Having considered the Motion, file, Report, and record in this case, the court determines that the magistrate judge’s findings and conclusions are correct, and **accepts** them as those of the court. Accordingly, the court **denies** Plaintiff’s Motion (Doc. 15) for the reasons stated by the magistrate judge.

**It is so ordered** this 25th day of October, 2023.

  
Sam A. Lindsay  
United States District Judge